

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

BOARD ORDER NO. 6-95-71
WDID NO. 6B140300009

REVISED WASTE DISCHARGE REQUIREMENTS

FOR

SHOSHONE CLASS III LANDFILL

Inyo County

The California Regional Water Quality Control Board, Lahontan Region (Regional Board) finds:

1. Discharger

On February 14, 1995 the County of Inyo submitted a complete revised Report of Waste Discharge for the Shoshone Class III Landfill. For the purpose of this Regional Board Order (Order), the County of Inyo and the U.S. Government Bureau of Land Management (landowner) are referred to as the "Discharger."

2. Facility

The Shoshone Class III Landfill is the facility that receives and stores waste. For the purposes of this Order, the Shoshone Class III Landfill is referred to as the "Landfill."

3. Order History

The Regional Board previously adopted Waste Discharge Requirements (WDRs) for the Landfill under Board Order No. 6-73-9, which was adopted on February 1, 1973. The Regional Board adopted Board Order No. 6-83-14 on February 10, 1983, which revised the WDRs. Board Order No. 6-93-10019 was adopted on September 9, 1993, and amended the WDRs to incorporate the requirements of Title 40, Code of Federal Regulations, Parts 257 and 258 (Subtitle D) as implemented in the State of California under State Water Resources Control Board (SWRCB) Resolution No. 93-62.

4. Reason for Action

The Regional Board is revising these WDRs to require the Discharger to achieve compliance with the revised requirements of Article 5, Chapter 15, Title 23, California Code of Regulations (Chapter 15) and to incorporate requirements of the previously adopted Board Order amendment No. 6-93-10019. The amendment was adopted to implement the Subtitle D regulations in accordance with SWRCB Resolution No. 93-62.

5. Time Schedules

Board Order No. 6-93-10019 contained a time schedule for the Discharger to comply with Subtitle D and Chapter 15. Specific elements of the time schedule are past due. The county of Inyo has submitted an alternative time schedule which is reasonable based on the financial constraints of the Discharger. The submitted time schedule demonstrates a commitment by Inyo County toward compliance with Chapter 15 and Subtitle D and improvement of the operations of the Landfill. This Board Order incorporates the time schedule submitted by the Discharger. The Regional Board intends to take formal enforcement action if the time schedule contained in this Order is violated.

6. Landfill Location

The Landfill is located approximately 1.5 miles southeast of the Community of Shoshone, Inyo County, within portions of Section 32, T22N, R7E, SBB&M, as shown on Attachment "A," which is made part of this Order.

7. Description of Landfill

The Landfill is an unlined landfill which receives approximately four tons of waste per day. Based on the quantity of waste received per day, the Landfill is a "Small Landfill" as defined in Subtitle D. As such, Subtitle D requirements became effective for this Landfill on April 9, 1994. Regional Board staff have reviewed information submitted by the Discharger which illustrates the footprint of waste discharged as of April 9, 1994. The footprint documents the limits of waste which are exempt from Subtitle D requirements for composite liners, and is shown as Attachment "B", which is made a part of this Order.

8. Authorized Disposal Sites

The footprint of waste shown in Attachment "B" is the only authorized disposal site. A revised Report of Waste Discharge is required if the Discharger proposes to discharge waste outside the footprint area.

9. Waste Classification

The Landfill receives waste derived from the community of Shoshone and the surrounding desert communities. The waste is defined in Sections 2523 and 2524 of Chapter 15, Title 23, California Code of Regulations, as inert and non-hazardous solid waste, respectively. The waste is defined as municipal solid waste in Subtitle D.

10. Waste Management Unit Classification

Pursuant to Section 2533, Chapter 15, Title 23, California Code of Regulations, the Landfill is classified as a Class III waste management unit. Pursuant to Part 258 of Subtitle D, the Landfill is a Small Landfill.

11. Subtitle D Compliance Status

Board Order amendment No. 6-93-10019 required the submittal of several items in order to comply with Subtitle D. The Discharger has submitted complete information regarding the acceptance of liquids, the existing waste footprint, the distance from the Landfill to the nearest drinking water source, and whether the Landfill is located in a 100 year floodplain or a wetlands. This Order includes a time schedule to submit a revised Water Quality Protection Standard (WQPS) which meets the requirements of Subtitle D and Chapter 15.

The above listed items which have already been submitted in conjunction with the submittals required by this Order fulfill the submittal requirements of Subtitle D as implemented by SWRCB Resolution No. 93-62.

12. Water Quality Protection Standard

The WQPS consists of constituents of concern (including monitoring parameters), concentration limits, monitoring points, and the point of compliance. The standard applies over the active life of the Landfill, closure and post-closure maintenance period, and the compliance period. The constituents of concern and point of compliance are described in Monitoring and Reporting Program 95-71, which is attached to and made a part of this Order. This Order includes a time schedule for the Discharger to install monitoring points and develop concentration limits.

13. Statistical Methods

Statistical analysis of monitoring data is necessary for the earliest possible detection of a statistically significant release of waste from the Landfill. The Chapter 15 and Subtitle D regulations require statistical data analysis. Monitoring and Reporting Program 95-71 includes general methods for statistical data analysis. This Order also includes a time schedule for the Discharger to submit site-specific statistical methods to be used for monitoring data analysis.

14. Detection Monitoring

Pursuant to Section 2550.8 of Chapter 15, Title 23, California Code of Regulations, a detection monitoring program is required. The Discharger has submitted a time schedule to implement a detection monitoring program that will be used to monitor the ground water for evidence of a release. This Order includes a time schedule for the Discharger to initiate a consistent semi-annual detection monitoring program.

15. Evaluation Monitoring

An evaluation monitoring program may be required, pursuant to Section 2550.9 of Chapter 15, Title 23, California Code of Regulations, to evaluate evidence of a release if detection monitoring and/or verification procedures indicate evidence of a release.

16. Corrective Action

A corrective action program (CAP) to remediate released wastes from the Landfill may be required pursuant to Section 2550.10 should results of an evaluation monitoring program warrant a CAP.

17. Site Geology

The site is located in a steep-sided gully area where low permeability Quaternary lake deposits have been eroded by surface runoff.

18. Site Hydrogeology

Depth to ground water varies across the site from approximately 40 to 100 feet below ground surface. Based on known regional ground water chemistry, the ground water in the area is high in dissolved solids with total dissolved solids concentrations in the range of 900-1,500 mg/l.

19. Site Surface Hydrology and Storm Water Runoff

The Amargosa river is located approximately 1/2 mile east of the Landfill. All storm water run-off from the Landfill is regulated under the statewide Amended General Industrial Activities Storm Water Permit.

20. Climatology

The precipitation in the area of the Landfill is approximately 4 inches annually. The evaporation rate is approximately 84 inches annually.

21. Land Uses

The land uses at and surrounding the Landfill consist of the following:

- a. various maintained residences and commercial buildings in the Community of Shoshone;
- b. open desert land.

22. Closure and Post-Closure Maintenance

The Discharger has not submitted a Preliminary Closure and Post-Closure Monitoring Plan (CPCMP). This Order includes a time schedule which requires that the Discharger submit a CPCMP. This Order also requires that the Discharger review the plan annually to determine if significant changes in the operation of the Landfill warrant an update of the plan.

23. Financial Assurance

The Discharger has not provided financial assurance for site closure or potential future corrective action at the Landfill as required by Chapter 15. This Order includes a time schedule for the Discharger to provide financial assurance for closure to the Integrated Waste Management Board (IWMB) and for potential corrective action requirements to the Regional Board. The Regional Board can access closure funds held by the IWMB. The IWMB does not require financial assurance for potential corrective action. This Order also requires that the Discharger demonstrate in an annual report that the amount of financial assurance is adequate, or increase the amount of financial assurance.

24. Receiving Waters

The receiving waters are the ground waters of the Middle Amargosa Valley Basin (Department of Water Resources Basin No. 6-20).

25. Lahontan Basin Plan

The Regional Board adopted a Water Quality Control Plan for the Lahontan Region (Basin Plan) which became effective on March 31, 1995. This Order implements the Basin Plan.

26. Beneficial Ground Water Uses

The present and probable beneficial uses of the ground waters of the Middle Amargosa Valley Basin as set forth and defined in the Basin Plan are:

- a. municipal and domestic supply;
- b. agricultural supply;
- c. industrial service supply; and
- d. freshwater replenishment.

27. California Environmental Quality Act

These WDRs govern an existing facility that the Discharger is currently operating. The project consists only of the continued operation of the Landfill and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) in accordance with Section 15301 of the CEQA Guidelines.

28. Notification of Interested Parties

The Regional Board has notified the Discharger and all known interested agencies and persons of its intent to adopt revised WDRs for the project.

29. Consideration of Interested Parties

The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that the Discharger shall comply with the following:

I. DISCHARGE SPECIFICATIONS

A. Receiving Water Limitations

The discharge of waste shall not cause the presence of the following substances or conditions in ground waters of the Middle Amargosa Valley Basin:

1. any perceptible color, odor, taste, or foaming;
2. any presence of toxic substances in concentrations that individually, collectively, or cumulatively cause detrimental physiological response in humans, plants, animals, or aquatic life; and
3. the presence of constituents of concern in concentrations that exceed background levels.

II. REQUIREMENTS AND PROHIBITIONS

A. General

1. The discharge shall not cause a pollution as defined in Section 13050 of the California Water Code, or a threatened pollution.
2. The discharge shall not cause a nuisance as defined in Section 13050 of the California Water Code.

3. The discharge of solid wastes, leachate, or any other deleterious material to the ground waters of the Middle Amargosa Valley Basin is prohibited.
4. The discharge of waste except to the authorized disposal site is prohibited.
5. The disposal sites shall be protected from inundation, washout, or erosion of wastes and erosion of covering materials resulting from a storm or a flood having recurrence interval of once in 100 years.
6. Surface drainage from tributary areas, and internal site drainage from surface or subsurface sources shall not contact or percolate through solid wastes discharged at the site.
7. The exterior surfaces of the disposal sites shall be graded to promote lateral runoff of precipitation and to prevent ponding.
8. Water used for dust control during disposal site operations shall be limited to a minimal amount. A "minimal amount" is defined as that amount which will not result in runoff.
9. Wastes other than inert wastes shall not be placed in ponded water from any source whatsoever.
10. No hazardous or designated wastes shall be discharged at the disposal sites.
11. The discharge of wastes in a manner that does not maintain a five foot soil separation between the wastes and the seasonal high ground water elevation is prohibited.
12. Waste discharged to the Landfill shall have a solids content of 50 percent or greater.
13. The Discharger shall remove and relocate any waste which is or has been discharged at the disposal sites in violation of these requirements.
14. During periods of precipitation, the disposal activity shall be confined to the smallest area possible based on the anticipated quantity of wastes and operation procedures.
15. At closure, all facilities must be closed in accordance with a final CPCMP approved by the Regional Board.
16. At any given time, the concentration limit for each constituent of concern shall be equal to the background value of that constituent.
17. The concentration limits for each constituent of concern shall not be exceeded.

B. Detection Monitoring Program

The Discharger shall maintain a detection monitoring program as required in Section 2550.1(a)(1) of Chapter 15. This Order includes a time schedule for the Discharger to develop a detection monitoring program for the Landfill.

C. Evaluation Monitoring Program

The Discharger shall establish an evaluation monitoring program whenever there is statistically significant evidence of a release from the Landfill as required in Section 2550.1(a)(2) or (3) of Chapter 15. This Order includes a time schedule for the Discharger to develop a detection monitoring program for the Landfill.

D. Corrective Action Program

The Discharger shall institute a corrective action program when required pursuant to Section 2550.1(a)(4) of Chapter 15.

III. DATA ANALYSIS

A. Statistical Analysis

Statistical analysis of ground water data collected as part of the detection monitoring program shall be conducted. Analysis shall be conducted in accordance with statistical methods detailed in Monitoring and Reporting Program 95-71.

B. Nonstatistical Analysis

The Discharger shall determine whether there is significant physical evidence of a release from the Landfill. Significant physical evidence may include unexplained volumetric changes in the Landfill, unexplained stress in biological communities, unexplained changes in soil characteristics, visible signs of leachate migration, and unexplained water table mounding beneath or adjacent to the Landfill, or any other change in the environment that could be reasonably expected to be the result of a release from the Landfill.

C. Verification Procedures

1. The Discharger shall immediately initiate verification procedures as specified below whenever there is a determination by the Discharger or Executive Officer that there is statistical or non-statistical evidence of a release. If the Discharger declines the opportunity to conduct verification procedures, the Discharger shall submit a technical report as described below under the heading Technical Report Without Verification Procedures.

2. The verification procedure shall only be performed for the constituent(s) that has shown evidence of a release, and shall be performed for those monitoring points at which a release is indicated.
3. The Discharger shall either conduct a composite retest using data from the initial sampling event with all data obtained from the resampling event or shall conduct a discrete retest in which only data obtained from the resampling event shall be analyzed in order to verify evidence of a release.
4. The Discharger shall report to the Regional Board by certified mail the results of the verification procedure, as well as all concentration data collected for use in the retest within seven days of the last laboratory analysis.
5. The Discharger shall determine, within 45 days after completion of sampling, whether there is statistically significant evidence of a release from the Landfill at each monitoring point. If there is statistically significant evidence of a release, the Discharger shall immediately notify the Regional Board by certified mail. The Executive Officer may make an independent finding that there is statistical evidence of a release.
6. If the Discharger or Executive Officer verifies evidence of a release, the Discharger is required to submit, within 90 days of a determination that there is or was a release, a technical report pursuant to Section 13267(b) of the California Water Code. The report shall propose an evaluation monitoring **OR** make a demonstration to the Regional Board that there is a source other than the Landfill that caused evidence of a release.

D. Technical Report Without Verification Procedures

If the Discharger chooses not to initiate verification procedures, a technical report shall be submitted pursuant to Section 13267(b) of the California Water Code. The report shall propose an evaluation monitoring program, **OR** attempt to demonstrate that the release does not originate from the Landfill.

IV. PROVISIONS

A. Rescission of WDRs

Board Order No. 6-83-14 and Board Order No. 6-93-10019 are hereby rescinded.

B. Standard Provisions

The Discharger shall comply with the "Standard Provisions for Waste Discharge Requirements," dated September 1, 1994, in Attachment "C", which is made part of this Order.

C. Monitoring and Reporting

1. Pursuant to the California Water Code Section 13267(b), the Discharger shall comply with the Monitoring and Reporting Program No. 95-71 as specified by the Executive Officer.
2. The Discharger shall comply with the "General Provisions for Monitoring and Reporting," dated September 1, 1994, which is attached to and made a part of the Monitoring and Reporting Program.

D. Closure and Post-Closure Monitoring

The preliminary CPCMP shall be updated if there is a substantial change in operations. A report shall be submitted annually indicating conformance with existing operations. A final CPCMP shall be submitted at least 180 days prior to beginning any partial or final closure activities or at least 120 days prior to discontinuing the use of the site for waste treatment, storage or disposal, whichever is greater.

E. Financial Assurance

The Discharger shall submit a report annually providing evidence that adequate financial assurance pursuant to the requirements of the WDRs has been provided for closure and for potential releases. Evidence may include a copy of the renewed financial instrument or a copy of the receipt for payment of the financial instrument. In addition, the Discharger shall either provide evidence that the amount of financial assurance is still adequate or increase the amount of financial assurance by the appropriate amount. An increase may be necessary due to inflation, a change in regulatory requirements, a change in the approved closure plan, or other unforeseen events.

F. Modifications to the Landfill

If the Discharger intends to expand the capacity of the Landfill, a report shall be filed no later than 90 days after the total quantity of waste discharged at this site equals 75 percent of the reported capacity of the site. The report shall contain a detailed plan for site expansion. This plan shall include, but is not limited to a time schedule for studies design, and other steps needed to provide additional capacity. If site expansion is not undertaken prior to the site reaching the reported capacity, the total quantity discharged shall be limited to the reported capacity.

V. TIME SCHEDULE

A. Water Quality Protection Standard

1. By January 1, 1996, the Discharger shall install a minimum of three ground water monitoring wells. Two wells shall be located at the Point of Compliance, and the third well shall be located in an area which provides background water quality.
2. By March 1, 1997, the Discharger shall submit a complete Water Quality Protection Standard.

B. Statistical Methods

By March 1, 1997, the Discharger shall submit a technical report which proposes site-specific statistical methods to be used for monitoring data analysis.

C. Detection Monitoring Program

By June 1, 1997, the Discharger shall begin submitting semi-annual detection monitoring reports which include laboratory and analytical data for all monitoring parameters listed in the attached Monitoring and Reporting Program, and statistical analysis of all ground water monitoring data.

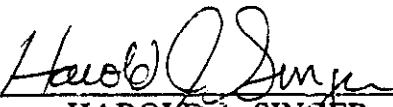
D. Preliminary Closure and Post-Closure Monitoring Plan

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oc By July 1, 1996, the Discharger shall submit a CPCMP in accordance with the requirements of Chapter 15, Subtitle D and Title 14.

E. Financial Assurance

By July 1, 1996, the Discharger shall submit financial assurance for closure and potential corrective action at the site.

I, Harold J. Singer, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by California Regional Water Quality Control Board, Lahontan Region, on June 8, 1995.


HAROLD J. SINGER
EXECUTIVE OFFICER

- Attachments:
- A. Location Map
 - B. Photograph of Landfill Footprint
 - C. Standard Provisions for Waste Discharge Requirements

